

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

ERIC WILLIAMS, §
§
Plaintiff, §
§
v. § CIVIL ACTION NO. 3:08-CV-2150-B
§
WASHINGTON MUTUAL BANK; §
LONG BEACH MORTGAGE, §
§
Defendants. §

MEMORANDUM ORDER

Before the Court is the Federal Deposit Insurance Corporation's ("FDIC") Unopposed Motion to Substitute (doc. 5) (the "Motion"). Through the Motion, the FDIC informs that on September 25, 2008, the Office of Thrift Supervision ("OTS"), Department of Treasury, declared Defendant Washington Mutual Bank insolvent. The FDIC was, therefore, appointed as Receiver. The FDIC requests that it be substituted as the Defendant in this case in place of Washington Mutual pursuant to 12 U.S.C. § 1821(c). By virtue of its appointment as Receiver of Washington Mutual, the FDIC succeeded to "all rights, titles, powers, and privileges of" Washington Mutual. 12 U.S.C. § 1821(d)(2). In light of the FDIC's succession to all rights, titles, powers, and privileges of Washington Mutual, the Court is of the opinion that the Motion should be and hereby is

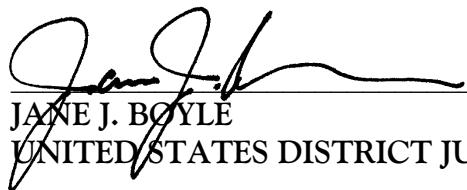
GRANTED.

Accordingly, it is **ORDERED** that the FDIC shall be substituted in the place of Washington Mutual as a defendant in this case. *See FED. R. Civ. P. 25.* Additionally, the Court hereby directs the FDIC to file a copy of the OTS Order Appointing Receiver as a notice on this case's docket.

The clerk of court is directed to reflect the foregoing substitution on the docket.

SO ORDERED.

DATED: September 11, 2009



JANE J. BOYLE
UNITED STATES DISTRICT JUDGE